

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRITHORN BULK A/S, :

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Petitioner, :

:
   
-v- :

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DURON CAPITAL LLC, :

:
   
Respondent. :
   
:
   
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22 Civ. 9628 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Petitioner Trithorn Bulk A/S initiated this action by filing a Petition to Confirm Arbitration (the “Petition”) on November 10, 2022. Dkt. 1. Petitioner initially served Respondent Duron Capital LLC via e-mail. Dkt. 8. Following an order of the Court holding e-mail service to be inadequate under the Federal Rules of Civil Procedure, *see* Dkt. 13, Petitioner served Respondent through its registered agent on December 22, 2022, *see* Dkt. 14. To date, Respondent has not entered an appearance in this case. Therefore, Respondent is ordered to appear and respond to the Petition by March 13, 2023. Should Respondent fail to appear and respond to the Petition by that date, the Court will treat the Petition, the supporting memorandum of law, Dkt. 9, and the exhibits Petitioner has submitted in support of the Petition, Dkt. 10-1 to 10-2, as “akin to a motion for summary judgment based on the movant’s submissions,” *D.H. Blair & Co., Inc. v. Gottdiener*, 462 F.3d 95, 109 (S.D.N.Y. 2006), and decide it under the standards applicable to an unopposed motion for summary judgment, *see id.* Should Respondent appear and respond to the Petition by that date, Petitioner shall reply by March 27, 2023.

Petitioner shall serve a copy of this Order on Respondent via overnight courier by February 13, 2023. Petitioner shall further file proof of service on the docket within two days of service.

SO ORDERED.

Dated: February 7, 2023  
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN  
United States District Judge